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THE ADOPTION OF THE RESERVATION POLICY IN
PACIFIC NORTHWEST, 1853-1855

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The Formation of a New Indian Policy for Oregon Territory.—Anson Dart's failure to secure treaties that the Senate would ratify resulted in his resignation. Joel Palmer was appointed March 17, 1853, to succeed him in the work of forming and administering an Indian policy in Oregon. Palmer had settled in Oregon in 1845, and had taken an active part in the Cayuse Indian War. He was generally respected by the Indians and the settlers. It was his belief that, since the settlers had occupied the valley lands, the only means of saving the Indians was for the government to provide reservations and assistance for them, in order that they might become a settled people. This plan was adopted, although not without an armed effort on the part of the Indians to prevent it.*

At the time Palmer took charge, he stated that the Indians of the Willamette Valley were restless and in a deplorable state. The causes for this state of affairs were: the non-ratification of the treaties, which had been made with them; the belief among the Indians that the treaties would not be ratified until they had wasted away; the settling of the lands which the Indians claimed under the treaties; the decrease in the supply of roots and game due to the increasing settle-

* Washington Territory was created, March 2, 1853, out of the northern part of the Oregon country, as limited by the treaty with Great Britain, June 14, 1846. From 1853 to 1859, the boundary between the Territory of Washington and the Territory of Oregon was the Columbia River and the forty-sixth parallel of latitude, from the Pacific Ocean to the main ridge of the Rocky Mountains.

ments; and the pauperization of the Indians by unprincipled whites.¹

The Willamette Valley Indians had never made any serious opposition to the settlement of their country, but the Indians of the southwestern coast of Oregon, of the upper Rogue River Valley, of the Klamath Lake region, showed a decided determination to prevent the settlement of their districts. Offences by the Coquille Indians were committed in 1851, such as the attack upon T'Vault's party. In the winter of 1853-54, Indians were killed along the Illinois River, at the mouth of the Chetco River,² and at the mouth of the Coquille River.³ According to some reports the settlers were the aggressors. They claimed that the Indians had threatened to destroy the settlements. In August, 1853, the Rogue River Indians attacked the settlements in the upper Rogue River Valley.⁴ (The mounted rifle regiment had been attacked at the crossing of Rogue River in the fall of 1851, and there had been trouble in 1852 with these Indians.) After an armed conflict the Indians sued for peace and agreed to cede their lands. Joseph Lane, who commanded the volunteers, made a treaty with them that became the basis for the first treaty made with the Oregon Indians. Later, during the winter, the Indians were attacked on Cottonwood Creek on the ground that they were planning to destroy the settlements.⁵ The emigrant parties of 1853 and 1854 passed through the Klamath Lake region without being attacked, due to military protection of the volunteers. In January, 1854, four men were killed near lower Klamath Lake, and in May the settlers attacked the Indians at Klamath Ferry.⁶ In almost every case the Federal authorities reported that the whites were entirely responsible for the outbreak, and that the Indians were being exterminated. These reports of army and Indian officers, accusing the whites of attacking the Indians, mark the beginning of the quarrel between the people

¹ Joel Palmer to the Commissioner of Indian Affairs, June 23, 1853, C. I. A., A. R., Nov. 26, 1853 (Serial 710, Doc. 1), p. 449.

² Palmer to the Commissioner of Indian Affairs, Sept. 11, 1854, C. I. A., A. R., Nov. 25, 1854 (Serial 746, Doc. 1), p. 467.

³ F. M. Smith to Joel Palmer, Feb. 5, 1854, C. I. A., A. R., Nov. 25, 1854 (Serial 746, Doc. 1), p. 476.

⁴ Victor, *The Early Indian Wars of Oregon*, p. 308.

⁵ A. J. Smith to George Wright, Jan. 31, 1854, in *Message from the President . . . communicating . . . the instructions and correspondence between the government and Major General Wool, in regard to his operations on the Coast of the Pacific*, Dec. 26, 1854 (Serial 751, Doc. 16), p. 18.

⁶ J. C. Bonnycastle to John E. Wool, May 28, 1854, *ibid.*, p. 76.

of Oregon, and the officers of the military and the Indian department.

Difficulties with the Indians in the interior were expected by the military and Indian authorities unless some change was brought about in their attitude toward settlements that were being made. Major Rains stated that five Indians had been killed in the vicinity of Fort Dalles during a short period prior to January 29, 1854, and that the Indians were so enraged by the actions of the settlers in taking their lands and committing crimes that prompt action would be required to prevent an Indian war, with all the tribes between the Cascade Mountains and the Rockies united.⁷ The Indian agent at The Dalles, R. R. Thompson, wrote that conflicts between the settlers and the Indians were on the increase caused by; the whites taking up claims which included the lands actually occupied by the Indians, the robbing of the emigrants along the trail, and the presence of whiskey dealers, who under the guise of settlers, were carrying on their trade.⁸ The most serious Indian attack, that occurred during the period under consideration, happened near Fort Boise. The Shoshoni Indians along the Snake River were said to have threatened to kill all those who might fall into their hands, and the fate of the Ward party, and several men of another party, in the fall of 1854, seemed to be the carrying out of this threat. Nineteen of the Ward party were murdered, August 20, 1854, on the Oregon trail, twenty miles east of Fort Boise.⁹

It will be seen from this brief survey of the Indian situation, that difficulties were more numerous, and scattered over a larger area than in previous years. The obvious reason for this was the increase of settlements outside of the Willamette Valley. There were two other causes for the dangerous Indian situation that existed in the fall of 1854. These were: the failure of the courts and police to punish offences by the Indians and the settlers; and the failure of the military department to inspire the Indians with sufficient fear of the Americans, to prevent attacks.

The Indian policy in Oregon which was adopted in 1854

⁷ G. J. Rains to E. D. Townsend, Jan. 29, 1854, *ibid.*, p. 16.

⁸ R. R. Thompson to Palmer, Sept. 3, 1854, C. I. A., A. R., Nov. 25, 1854 (Serial 746, Doc. 1), p. 486.

⁹ *Ibid.*, p. 487.

was based on the recommendations of agents and the superintendent of Indian affairs, in Oregon, and those of the Commissioner of Indian Affairs. The formation and the adoption of the reservation policy in Oregon, and in Washington, was largely the work of Joel Palmer. The plan of removing the western Indians to eastern Oregon had failed, and the plan of extinguishing the title, and leaving the Indians to roam as they pleased, which had been adopted in the treaties of 1851, had been rejected by the Senate. In commenting on the Indian situation in California and Oregon, November 30, 1852, the Commissioner of Indian Affairs said:

"Regarding the policy of the rejected treaties [in California] as finally abandoned, and considering the removal of the Indians from the State as impossible, I suggest, as worthy of consideration, the plan of forming them into two grand colonies, to be suitably located; one in the northern and the other in the southern portion of the State. Like circumstances recommend a like policy in relation to the Indians west of the Cascade Mountains in Oregon."¹⁰

Palmer's first recommendations were made, June 23, 1853, in which he outlined an Indian policy and suggested a region which he considered would make a good reservation for the Indians of western Oregon. He stated that the system adopted by Gaines and Dart of allowing the Indians to mingle with the whites would, if put into effect, speedily result in the extermination of the Indians. He laid down four principles of policy necessary for the preservation of the Indians, namely: a home remote from the settlements; laws guarding them from degraded whites; laws governing the Indians in their relations with one another; and the aid of schools, missionaries, and instruction in agriculture.¹¹ With the above views in mind, Palmer proposed that the Willamette Valley Indians be located in the small valleys along the Pacific Coast between the Yaquina and the Alsea River. A number of reasons were given for considering this a favorable location. These were: the friendliness, free intercourse, and similarity in customs and languages, of the Indians inhabiting the Coast region and the Willamette Valley; the abundance of game and fish west

¹⁰ The Commissioner of Indian Affairs, *Annual Report*, Nov. 30, 1852 (Serial 658, Doc. 1), p. 301.

¹¹ Palmer to the Commissioner of Indian Affairs, June 23, 1853, C. I. A., *A. R.*, Nov. 26, 1853 (Serial 710, Doc. 1), p. 450.

of the Coast Range; the prevalence of small valleys adaptable to cultivation; the complete separation of the country by the Coast Range from the Willamette Valley; the uninviting coast which repelled ingress from the sea, and the unattractiveness of the small valleys for white settlements. These recommendations were concluded by the following statement which described the status of the Indian policy in the summer of 1853:

"It is evident that a delay in coming to a full and definite understanding with the Indian bands residing in the settlements serves greatly to increase the difficulty of final adjustment. In the absence of instructions from the department, I feel much embarrassed how to proceed in adjusting difficulties. My conviction, from what I have said, may be easily inferred, that these evils can scarcely be mitigated by any means in my power, and only abated by the removal of the Indians. The peace of society, the security of property, the welfare of the Indians, demand it.¹²

Further recommendations were made by Palmer, October 8, 1853. They were included in his annual report which was received by the Commissioner of Indian Affairs too late to be printed in the annual report of the Commissioner for 1853. This communication has not previously been printed.^{12'} The importance of the document is, that the recommendations made in it became the basis for the reservation Indian policy for the Pacific Northwest. That there were recommendations in the report urging that treaties be negotiated for the purchase of the lands from the Indians of Oregon Territory which would provide reservations for the Indians, and assistance to them in establishing themselves as settled peoples, is shown by the reference to them in a special report of the Commissioner of Indian Affairs, February 6, 1854, which will be discussed a little later.¹³

The Commissioner of Indian Affairs, November 26, 1853, pointed out the necessity of adopting some systematic policy in dealing with the Indians of the Far West. He stated that no plan had been decided upon for any part of the region. It

¹² *Ibid.*, p. 451.

^{12'} Joel Palmer to the Commissioner of Indian Affairs, Oct. 8, 1853. Indian Office, *Archives*. (Dr. J. Franklin Jameson procured for the writer photostats of this report, a copy of which is reproduced in the appendix.)

¹³ The Commissioner of Indian Affairs to the Secretary of the Interior, Feb. 6, 1854; *Letter from the Secretary of the Interior transmitting a report from the Commissioner of Indian Affairs recommending the speedy making of treaties with the Indian tribes of the Territories of Oregon and Washington*, Feb. 9, 1854 (Serial 721, Doc. 55), pp. 1-3.

was recommended that a commission be appointed to report on the subject of Indian policy in the territories of New Mexico, Utah, Oregon, Washington, and the states of Texas and California. The reasons for urging the immediate adoption of a plan for dealing with these Indians were: the increase in the number of depredations committed by the Indians on the settlers; the losses sustained by the government, which was responsible to the settlers under the law, since it failed to restrain the Indians; the necessity for the colonization of the Indians if they were to be saved from extermination; and the inexpensiveness of the reservation system as compared with the constant use of the military force to keep the peace. The Commissioner was, quite evidently, in favor of colonizing the Indians.¹⁴

A special report was submitted to Congress, February 9, 1854, by the Commissioner of Indian Affairs in which he advised that treaties be speedily made with the Indians of Oregon and Washington, both east and west of the Cascade Mountains. It was this report, based on Palmer's report of October 8, 1853, that determined the policy of treaties and reservations for the Indians of Oregon and Washington. The report recommended that Congress appropriate \$68,000 to pay the expenses of negotiating the treaties and to pay the first installment of the annuities. This action was stated to be necessary; because the lands of the Indians were being taken by the whites; because the government had encouraged the settlement of the region; because the prosperity of the country was delayed by the uncertainty of peace; because an extensive outbreak was probable unless the Indians were pacified; because hostilities were caused by the absence of treaties; and because it was desirable that there be peace with the Indians along the routes of the railroad projects.¹⁵ This recommendation led to the decision on the part of the government to make treaties with the Indians of Oregon and Washington. Later recommendations only tended to strengthen the belief on the part of the Indian office that the situation

¹⁴ The Commissioner of Indian Affairs, *Annual Report*, Nov. 26, 1853 (Serial 710, Doc. 1), p. 260.

¹⁵ The Commissioner of Indian Affairs, to the Secretary of the Interior, Feb. 6, 1854, *op. cit.*, p. 3.

was serious and that the proper means had been adopted to remedy it.

J. L. Parrish, the agent for the Oregon coast district, recommended, July 20, 1854, that the Indians be treated as wards, placed on reservations, protected, and taught the customs of civilized life; that they be trained to understand the laws of the land; and that they be persuaded to give up their tribal relations and customs, in order that they might become capable of exercising the rights and duties of citizenship.¹⁶

The Indian agent for eastern Oregon, R. R. Thompson, expressed the belief, July 20, 1854, that the existing unsatisfactory conditions could only be remedied by purchasing the Indian title and placing the Indians on reservations.¹⁷

Palmer visited the coast district, between the Yaquina and the Alsea River, in the spring of 1854, and found that it was less desirable for an Indian reservation than he had supposed. He stated that it would be possible to locate the Indians in that region if the Indian department would furnish sufficient employees to manage the Indians in the isolated valleys which characterized the country.

In the summer of the same year, Palmer visited the Klamath Lake region and reported that it would be a good location for the Indians of the Willamette and the Umpqua Valley. The advantage of this district was its remoteness from other lands useful for settlements. Objections were found to the plan, in the cold winters of the Klamath Lake area, and the unwillingness of the Indians to move east of the Cascade Mountains. These, however, were not considered serious hindrances to the plan.

Palmer again recommended, September 11, 1854, that treaties of purchase be made with the Indians of the Territory of Oregon. This was an unnecessary repetition of earlier recommendations but he had not been informed that Congress had passed an Act authorizing the making of treaties and appropriating money for that purpose, July 31, 1854.¹⁸ The recommendations, however, were important because the policy

¹⁶ J. L. Parrish to Palmer, July 20, 1854, C. I. A., A. R. Nov. 25, 1854 (Serial 746, Doc. 1), p. 498.

¹⁷ Thompson to Palmer, July 20, 1854, *ibid.*, p. 485.

¹⁸ The Indian Appropriation Act, July 31, 1854, *Statutes at Large*, X, 330.

was not determined in detail by Congress or the Indian bureau but left to the discretion of the superintendents of Indian affairs in Oregon and Washington. Palmer advised that the Indians be placed on reservations where they should be governed, at first, by agents of the government; and later, when they became capable, by members of their own race under the laws of the United States.¹⁹

Several treaties were made by Palmer before the authorization by Congress, July 31, 1854. After the conflict in the upper Rogue River Valley during August and September 1853, Joseph Lane, the commander of the Oregon volunteers, made a peace treaty, September 8, 1853, with the Upper Rogue River Indians. It defined the boundaries of the lands claimed by these Indians, and provided that they should accept a reservation to be designated in the future. They agreed to surrender their arms, and pay for the destruction of property in the late conflict with the whites, out of their annuities.²⁰ Palmer made a treaty with these Indians, September 10, 1853, one provision of which was that \$15,000 was to be retained for the payment of property destroyed as provided in Lane's treaty of September 8, 1853. The other provisions of the treaty were, as follows: the Indians agreed to cede the lands of the upper Rogue River Valley and accept as a temporary reserve the Table Rock region, with the understanding that this reservation might be exchanged for another, or divided into farms for the Indians. They were to receive, \$55,000 in twenty annual installments—in addition to presents received at the time the treaty was made—and houses for the chiefs. The Indians also agreed to protect travelers; restore stolen property; and to submit their grievances among themselves and with the whites, to the Indian agent for settlement.²¹

The Cow Creek band of Umpqua Indians, on account of having participated in the attacks on the settlements in the upper Rogue River Valley in August and September, 1853, were forced to cede their lands, September 19, 1853. The cession was a small region in the central part of southwestern

¹⁹ Palmer to the Commissioner of Indian Affairs, Sept. 11, 1854, C. I. A., A. R., Nov. 25, 1854 (Serial 746, Doc. 1), p. 473.

²⁰ C. J. Kappler, comp., *Indian Affairs—Laws and Treaties*. (Serial 4624, Doc. 319), II, 1049.

²¹ *Ibid.*, II, 603-5.

Oregon. The Indians agreed to remove to the temporary reservation at Table Rock. They were to receive in payment for the cession \$11,000 in twenty annual installments of beneficial objects, and \$2,000 in presents and buildings. The other provisions were the same as those of the treaty with the Upper Rogue River Indians. These treaties were ratified by the Senate, April 12, 1854, but, due to the Senate amendment which was not agreed to by the Indians until November 11, 1854, they were not proclaimed until February 5, 1855.²²

The Indian Policy for Washington Territory.—The Indian policy for Washington was identical with that adopted for the Territory of Oregon. This was not due to the action of the government but rather to the fact that Palmer and Stevens were, in general, of the same opinion as to the proper manner of conducting Indian affairs. The situation north of the Columbia River and the forty-sixth parallel of latitude was similar to that south of the line except that there were fewer settlements and more powerful Indians, in Washington Territory.

The Indian situation in Washington Territory in 1853 was more serious east of the Cascade Mountains than west of those mountains although the settlements were almost exclusively in the western part of the territory. There was a movement, in this year, to make settlements in the interior of the territory. The region had been practically closed to settlement since the Cayuse Indian War. The military commander in the Puget Sound region stated that the settlers were unjustly taking lands cultivated by the Indians.²³ Colonel Bonneville, Father Pandory, and Major Alvord, wrote that the Indian situation in eastern Washington was threatening the peace of the Pacific Northwest. Bonneville stated, February 23, 1853, that settlements were to be attempted in the Walla Walla Valley during the coming summer and that there would probably be trouble with the Indians as they would not peaceably submit to the occupation of their lands.²⁴ It was stated by Father Pandory, April 1853, that during the winter of 1852-

²² *Ibid.*, II, 606-7.

²³ Floyd Jones to Townsend, Sept. 1, 1853, *Message from the President transmitting report in regard to Indian affairs on the Pacific*, Feb. 14, 1857 (Serial 906, Doc. 76), p. 9.

²⁴ B. L. E. Bonneville to Townsend, Feb. 23, 1853, *ibid.*, p. 6.

53, there had been rumors that the Cayuse and the Nez Perces were in favor of a war against the American settlers, and that feasts had been held by the Nez Perces and the Cayuse in the spring of 1853 for the purpose of uniting all of the interior Indians against the whites. Places had been designated for the gathering of the warriors of the various tribes. The reason for these plans for hostilities was that the settlers were taking their lands.²⁵ Major Alvord reported, July 17, 1853: that the Cayuse were afraid that the Americans would dispossess them of their lands; and that if settlements were attempted in the Walla Walla country, under the existing conditions, as had been planned, war would likely result with the Cayuse and their sympathizers, the Yakima. These men believed that some provision should be made for the Indians before the settlement of the region was attempted.²⁶ Bonneville advised that the Indians be given reservations, and that Indian agents be appointed to look after their interests. Alvord recommended that the Indian title to the lands along the Columbia River between The Dalles and the Cascades be extinguished and reservations provided for the Indians of that region. He also suggested that the northeastern part of the Territory of Washington—which at that time extended to the main ridge of the Rocky Mountains—be reserved as an "Indian Country." These opinions, with the exception of the last, were in line with the later policy as developed by Stevens.

It seems evident from the above statements that the Indian situation in the eastern part of Washington Territory had reached a critical stage in the fall of 1853. The movement of settlement had started east from the Pacific, and settlers, coming from the "States," were beginning to stop east of the Cascade Mountains, due to the occupation of all the lands thought desirable west of those mountains. Isaac I. Stevens, the governor and superintendent of Indian affairs for the territory, faced, from the beginning of his administration in the fall of 1853, the difficult problem of adopting measures that

²⁵ Father Pandory to Father Mesplie, April 1853, *Letter from the Secretary of the Interior transmitting . . . the report of J. Ross Browne, on the subject of the Indian war in Oregon and Washington Territories*, Jan. 25, 1858 (Serial 955, Doc. 38), p. 64.

²⁶ B. Alvord to Townsend, July 17, 1853, *Message from the President . . .*, Feb. 14, 1857 (Serial 906, Doc. 76), p. 11.

would give the settlers the lands, and that would satisfy the Indians and thus prevent hostilities. This proved to be an impossible task.

In the fall of 1853, the Indian service for Washington Territory was organized. The superintendent visited the Indians under his charge as he proceeded westward as chief of the Northern Pacific Railroad Survey, and became acquainted with the tribes which he was to manage until 1857. The Act which created the territory, March 2, 1853, reserved to the Federal government the control over the Indians; and to the Indians all the rights that they had had prior to the formation of the territory. It provided that the governor should be, ex-officio, superintendent of Indian affairs.²⁷

The instructions issued to Governor Stevens by the Commissioner of Indian Affairs, May 9, 1853, were of a general nature. The Commissioner stated that the information in the hands of the bureau concerning the Indians of the new Territory of Washington was of very little value. Stevens was instructed: to obtain all the knowledge relative to the various tribes that he could; to report all the informal treaties that had been made between the Indians and the settlers; to state the needs of the Indian service in Washington Territory, after having surveyed the field; to submit estimates of the expenses necessary for the efficient conduct of the Indian affairs of the region; and to make recommendations relative to a change in the laws regulating trade and intercourse with the Indians. The Commissioner urged that the report on these matters be made as soon, and as full, as possible in order that he might make recommendations to Congress, since no money had been appropriated for the Indian service in the territory. Economy was necessary because funds appropriated for other purposes were being used for the Washington superintendency. Stevens was authorized to appoint temporary special agents.²⁸

The report of Isaac I. Stevens, December 26, 1853, was received by the Commissioner of Indian Affairs prior to the report of the latter of February 6, 1854, and influenced

²⁷ An Act to Establish the Territorial Government of Washington, Mar. 2, 1853, *Statutes at Large*, X, 172.

²⁸ The Commissioner of Indian Affairs to I. I. Stevens, May 9, 1853, C. I. A., A. R., Nov. 26, 1853 (Serial 710, Doc. 1), p. 453.

the Commissioner to include Washington in his recommendation that treaties be speedily made with the Indians of Oregon. As in the case of Oregon, the formation of the Indian policy was placed in the hands of the superintendent. Recommendations made after the policy of making treaties had been adopted by Congress, July 31, 1854, were, therefore, important in determining the policy. In December, 1853, Stevens stated: the general policy which he believed should be followed in dealing with the Indians of Washington Territory; the cost of making the treaties; and a plan for the organization of the Indian service. It was asserted that it would be impossible to accomplish anything for the Indians unless they were paid for their lands and placed on reservations where they could be cared for. This situation was the result of the "Donation Act," passed by Congress September 27, 1850, which gave the lands to the settlers without regard to any claim that the Indians might have. The superintendent urged that the reservations be made immediately, because suitable lands for this purpose would be difficult to obtain if the matter was delayed, particularly west of the Cascade Mountains, as that part of the territory was rapidly filling up with settlers; and that the reservations be surveyed at once, in order that land disputes, a common cause of conflicts, between the whites and the Indians, might be settled more readily. It was estimated that \$30,000 would cover the cost of making the treaties with all of the Indians of the territory. The superintendent recommended that Washington be divided into five districts for Indian administration purposes; three of which were to be agencies, and, two sub-agencies. The agencies were to be the Puget Sound region, the Yakima and the Spokane country, and the St. Mary's Valley. The sub-agencies were to be southwestern Washington and the Spokane country. These were definite opinions as to what should be done, and how it should be done.²⁹

The Commissioner of Indian Affairs recommended, Novem-

²⁹ Stevens to the Commissioner of Indian Affairs, Dec. 26, 1853, *Communication from the Secretary of the Interior and the Commissioner of Indian Affairs . . . recommending certain appropriations for the Indian service . . .*, Feb. 9, 1854 (Serial 698, Doc. 34), pp. 7, 15; Stevens to the Commissioner of Indian Affairs, Sept. 16, 1854, C. I. A., A. R., Nov. 25, 1854 (Serial 746, Doc. 1), pp. 415-62.

ber 26, 1853, that some plan be adopted for dealing with the Indians of Washington Territory. On the basis of Stevens's report of December 26, 1853, and the policy outlined by Palmer for Oregon, the Commissioner urged, February 6, 1854, that treaties be made with the Indians of Washington and Oregon. Congress authorized, July 31, 1854, the negotiation of treaties in these territories and appropriated \$45,000 for the making of presents to, and treaties with, the Indians of Washington. Congress, however, did not determine the policy, except to the extent of authorizing the making of treaties and of providing the money for accomplishing that work.

In a message to the territorial legislature, February 28, 1854, Governor Stevens urged that a memorial be addressed to Congress requesting that treaties be made with the Indians both east and west of the Cascade Mountains in the Territory of Washington. Concerning the subject, he said:

"The Indian title has not been extinguished east of the Cascade Mountains. Under the land law of Congress, it is impossible to secure titles to land, and thus the growth of towns and villages is obstructed, as well as the development of the resources of the Territories."³⁰

The Washington legislature accepted the suggestion of the governor and memorialized Congress, April 12, 1854, relative to the situation in eastern Washington. The memorial stated in part:

["The district east of the Cascade Mountains] is occupied by numerous tribes of Indians, who, although at present are on friendly terms with the citizens of this territory, yet are warlike in their dispositions, and may become still more so should further settlements be made among them without previous arrangement, and that the interests of this territory require that its citizens should be allowed at once to occupy that portion of this territory for agricultural and especially for grazing purposes, without molestation."³¹

In a report, September 16, 1854, Isaac I. Stevens laid down certain principles of Indian policy which he believed should be followed in making treaties with the Indians. He stated that the aim of the Indian policy should be to prepare the Indians

³⁰ Stevens to the Legislative Assembly, Feb. 28, 1854, Washington Legislature, Feb. 1854, 1 Sess., *House Journal*, p. 16.

³¹ "Memorial of the Legislature of Washington Territory relative to the extinction of Indian titles to lands in the Territory of Washington," April 12, 1854, Washington Legislature, Feb. 27, 1854, 1 Sess., *House Journal*, p. 148.

to become citizens of the United States. In order to accomplish this they should be provided with reservations of good lands of sufficient size to allow each head of a family a homestead. The Indians should be supplied with farms, and farmers to instruct them in agriculture. Many bands should be concentrated on one reservation in order that the control of the government over them might be more easily effected. The authority of the chiefs of the tribes should be increased so that they could be held responsible to the government for the conduct of their bands. The Indians should not be excluded from the fisheries. This plan of concentrating the Indians was probably the best but was difficult to effect without the use of force, as Stevens must have known.³² In the previous year, while among the Pend d'Oreille, he had been told of the effort of the Jesuit missionaries to persuade the Indians to move to a better region, and of their refusal on the ground of ancestral ties to their own country.³³

Thus, during 1853 and 1854, as a result of the increased settlements in Washington Territory, the Indian service had been organized; appropriations had been made for making treaties with the Indians; and Indian policy recommendations had been made by the superintendent of Indian affairs for Washington Territory. The Commissioner of Indian Affairs, November 25, 1854 and the superintendent of Indian Affairs, for Washington Territory, February 28, 1854, expressed the belief that the time had come for the final settlement of the Indian problem in Washington.³⁴

The Negotiation of the Treaties.—We have seen that during 1853 and 1854 a policy of making treaties with the Indians had, for the second time, been adopted. The two differences that marked the later from the early policy were: the absence of any plan for a general removal of the Indians to an "Indian Country" and the inclusion of the whole area of the Pacific Northwest in the plan for the extinguishment of the Indian title. Between November 1854 and January 1856, fifteen treaties were made which extinguished the Indian title to all

³² Stevens to the Commissioner of Indian Affairs, Sept. 16, 1854, C. I. A., A. R. Nov. 25, 1854 (Serial 746, Doc. 1), p. 421.

³³ Stevens to the Commissioner of Indian Affairs, Sept. 16, 1854, *ibid.*, p. 450.

³⁴ The Commissioner of Indian Affairs, *Annual Report*, Nov. 25, 1854 (Serial 746, Doc. 1), p. 223; Stevens to the Legislative Assembly, Feb. 28, 1854, *ibid.*, p. 15.

of the Pacific Northwest except southwestern Washington, the Okanogan, Spokane, Coeur d'Alene region, and the Snake country. They were negotiated by Joel Palmer, superintendent of Indian Affairs for Oregon Territory, and Isaac I. Stevens, who held the same office, for Washington Territory. These treaties contained provisions for colonization and management of the Indians. It is hardly necessary to consider the details of each treaty as the general character of all of them is the same. This can be shown by an enumeration of the provisions which the treaties had in common. All of the treaties included: a cession of lands; payment for the cession in annuities of beneficial objects; assistance for the Indians in the form of buildings, mills, instructors, and physicians; a reservation which the Indians were to occupy within a year after the ratification of the treaty; provision for the granting of the reservation lands to the Indians in severalty; compensation to the Indians for granting rights of way for roads or railroads through their reservations; the acknowledgment by the Indians of the jurisdiction of the Federal government over them; the submission of disputes among the Indians of a band, or with other bands, or with the whites, to the Indian agent for settlement; the non-payment of the debts of individual Indians from the annuities; and the reservation of fishing rights to the Indians. In addition to these, the following provisions were common to the treaties made with the Indians of the Puget Sound region: the prohibition of slavery; provisions for a central agency; and the prohibition of trade with British Columbia.

The treaties were negotiated in the following order: three treaties were made by Palmer, west of the Cascade Mountains in Oregon, prior to June 1855; second, four were made by Stevens, west of the Cascade Mountains in Washington Territory, prior to June 1855; third, three treaties were made by Stevens and Palmer jointly, June 1855, east of the Cascade Mountains, the lands purchased lying partly in each territory; fourth, two treaties were made by Stevens after June 1855, one east of the Cascade Mountains, and one west of those mountains in Washington Territory; fifth, three treaties were

made by Palmer after June 1855, one east of the Cascade Mountains, and two west of the mountains in Oregon Territory. The course of the negotiation of these treaties will be followed according to this grouping.

The first treaty,—exclusive of the Rogue River and the Cow Creek treaty,—made by Palmer was with the Rogue River Indians, November 15, 1854, and was supplementary to the Rogue River treaty, dated September 10, 1853, which, as we have seen, was made prior to the authorization of the making of treaties by Congress. It provided that certain bands of Rogue River Indians, which had not been included in the original treaty, should remove to Table Rock, and receive \$2,150 in supplies, to be shared with the other bands of that reservation. In return, the bands of the supplementary treaty were to share in the provisions of the original treaty. The above amount was appropriated by Congress, March 3, 1855.³⁵

The Chasta-Skoton Indians were treated with by Palmer, November 18, 1854, at the mouth of Applegate creek on Rogue River. They agreed to cede their lands in the middle Rogue River Valley and to remove to the Table Rock Reservation. Congress appropriated \$35,780 for the execution of the treaty, March 3, 1855. It was proclaimed, April 10, 1855.³⁶

On November 29, 1854, a treaty was made with the Umpqua and Kalapuya Indians of the middle Umpqua Valley. The Indians ceded their lands and accepted a temporary reservation in the Umpqua Valley. Congress appropriated, March 3, 1855, \$23,980 for the first annual payments under the treaty, which was proclaimed March 30, 1855.³⁷

The Willamette Valley Indians were treated with by Palmer, January 22, 1855, under the title of the Confederated Bands of the Willamette Valley. The lands of the valley were ceded and temporary reservations were set aside for them within the cession. The first appropriation for the fulfillment of this treaty amounted to \$62,260 and was made by Congress, March 3, 1855.³⁸

³⁵ Kappler, comp., *Indian Affairs—Laws and Treaties* (Serial 4624, Doc. 319), II, 654-55.

³⁶ *Ibid.*, II, 655-57.

³⁷ *Ibid.*, II, 657-60.

³⁸ *Ibid.*, II, 665-69; Civil and Diplomatic Appropriation Act, Mar. 3, 1855, *Statutes at Large*, X, 675.

It will be noticed in these treaties that the reservations were temporary. Palmer was instructed to make treaties first with the Indians in the vicinity of the settlements. It was necessary to make the above treaties, therefore, prior to treating with the Coast tribes, in whose cession the proposed Coast Reservation was to be located. The temporary reservations were to continue only until the superintendent was able to make the treaty with the Coast tribes.

During the winter of 1854-55, Isaac I. Stevens attempted to make treaties with all the Indians of the western part of Washington territory. He was successful in purchasing the Indian title to all the lands bordering on Puget Sound, but due to the failure of the Chehalis council, the coast district and southwestern Washington were not ceded. The first treaty was made with the Nisqually, Puyallup, and others, at Medicine Creek—now known as McAlister's Creek—December 26, 1854. The Indians ceded the lands of the headwaters of Puget Sound, and received three small reservations which were later changed, with the exception of Squaxon Island. The treaty was proclaimed March 3, 1855, and Congress appropriated \$16,500 for the first payment under the treaty on the same day.³⁹

The eastern side of the Puget Sound country was ceded by the Dwamish, the Suquamish, and other Indians, January 22, 1855, at Point Elliott. Four reservations were provided for the Indians. This treaty and those which follow were not ratified until March 1859, due to the Yakima Indian War.⁴⁰

The Clallam Indians were treated with at Point-no-Point, January 26, 1855, for the lands bordering on the western side of Puget Sound and the southern side of the Strait of Juan de Fuca. A reserve was set aside at the head of Hood Canal.⁴¹

At Neah Bay, the Makah Indians, January 31, 1855, ceded a small area in the vicinity of Cape Flattery, and received a reservation of a part of the cession. This was the smallest area purchased by any of the treaties in the Pacific Northwest.⁴²

A council was held by Stevens and his assistants with the

³⁹ Kappler, *op. cit.*, II, 661-64.

⁴⁰ *Ibid.*, II, 669-73.

⁴¹ *Ibid.*, II, 674-77.

⁴² *Ibid.*, II, 682-84.

Chehalis, Chinook, Cowlitz, and Quinaielt, February 25, 1855. It was the aim of this council to extinguish the Indian title to the coast area and southwestern Washington, and to set aside a reservation for these Indians between Grays Harbor and Cape Flattery. The Indians were offered \$44,000 in annuities, and the usual aids of a reservation establishment. One objection that the interior Indians made was that they did not wish to occupy a coast reservation, among "canoe Indians." After the early meetings Tleyuk, a young chief of the Upper Chehalis, influenced other chiefs to refuse to sign. Some of the members of the council thought that, had the reserve proposed been located upon the lands of the Upper Chehalis Indians and had Tleyuk been chosen head chief, he would have agreed to the treaty and it would have been accepted by the other chiefs. The council broke up without effecting anything definite, but the treaty with the Quinaielt, Quillehute, and others, was a direct result of this meeting, the treaty having been explained to them at this council.⁴³

Stevens and Palmer had thus made noticeable headway toward the extinguishment of the Indian title west of the Cascade Mountains in Washington and Oregon during the winters of 1854-55. In June 1855, all arrangements were completed for the beginning of treaty making east of the Cascade Mountains. It was planned to inaugurate the work in the interior by a council with the principal tribes of that region, namely: the Yakima, Nez Perces, Cayuse, Wallawalla, and the Umatilla, to be held by the superintendents Palmer and Stevens, acting jointly, because the lands claimed by the Indians were partly north of the Columbia and the forty-sixth parallel, and partly south of that line.

Three treaties were made at Camp Stevens, June 9 to 11, 1855, in the Walla Walla Valley, which were known collectively as the Treaty of Walla Walla. The original plan was to create two reservations, but in order to overcome the objection of the Cayuse, Umatilla, and the Wallawalla, they were allowed a reserve in the Umatilla Valley. The Yakima, and other Indians, ceded about one-half of the eastern part

⁴³ Hazard Stevens, *Life of Isaac Ingalls Stevens*, II, 2-8.

of the present state of Washington and received a reservation of fertile lands in the Yakima Valley. The Wallawalla, Cayuse and the Umatilla ceded lands lying in the northeastern part of the present State of Oregon, and the southeastern part of the present State of Washington. They were provided with a reservation in the Umatilla Valley. The Nez Percés' cession included the region of central Idaho, lying between the Wallawalla cession and the Bitter Root Mountains. The reservation provided for them in the Clearwater Valley was one of the largest set aside by any of the treaties made with the Indians of the Pacific Northwest.

These treaties were not made without the expression of considerable opposition on the part of the Indians. The Yakima objected to being limited to a reservation; the Umatilla, Cayuse, and Wallawalla demanded an independent location; and a part of the Nez Percés refused, to the last, to sign the treaty. The Indians were quite generally opposed to selling their lands, but almost all the chiefs were finally persuaded to sign the treaties. Just what the plans of some of these Indians were at the time of signing the treaty, it is difficult to say, but it is quite possible that the Yakima Indian War was agreed upon by some of the chiefs at the council.

The first council was held, May 29, 1855, there being five thousand Indians present. On the first day, a speech was made by Stevens explaining the purpose of making the treaties, after which the council adjourned for the day. On the following day, the council was addressed by Palmer, and by Stevens who gave the details of the plan that was proposed in the treaties. On the third day, the superintendents stated the benefits that the Indians would obtain through the treaties and the reservations. During the next day, June 1, 1855, the Indians considered in an Indian council the propositions made by Palmer and Stevens. The Indians made speeches the following day in the council. On June fourth, Stevens and the Nez Perce chief, Lawyer, urged that the treaties be accepted, but the "Council adjourned without having made any sensible progress." On the following day, Stevens and Palmer made long explanatory speeches, and June sixth was occupied

by the Indians in consultation among themselves. The superintendents continued their explanations on the next day. Speeches were made on June seventh by the Indian chiefs. Lawyer agreed to accept the treaty for the Nez Percés. Looking Glass, a Nez Perce chief who arrived after this agreement by Lawyer, objected strongly and refused to sign. Young Chief of the Cayuse stated that he could not understand the treaties; the Wallawalla chief, Piopiomoxmox, said that he thought that Lawyer had given his lands away. The Yakima chief, Kamaikan, when urged to speak, replied, "I have nothing to say." Owhi, a chief of the Umatilla, said that his people were far away and, therefore, he could say nothing. When the council met on the following day, Palmer urged the Indian chiefs to accept the treaties. It was during this meeting that Looking Glass created considerable confusion by forcefully objecting to the Nez Percés accepting the treaty—which had been done by Lawyer. Looking Glass had not been present at the earlier meetings. These objections were met in part by agreeing to allow the newcomers an additional reservation. At this stage, all of the chiefs agreed to accept the treaties except Kamaikan. The papers were brought into the council on the following day to be signed. Stevens explained the reservations which were allowed in the treaties for the various tribes. This was followed by a speech from Looking Glass in which he urged the chiefs not to accept the treaties. The result was that Piopiomoxmox, Kamaikan, and Looking Glass refused to sign. When the council was called together on the following day, these chiefs suddenly changed their attitude, from what cause it is not known. After a short speech from Stevens, the chiefs signed the treaties. That these Indians were unwilling to be restricted to reservations, and were unwilling to have the settlers occupy the lands, seems evident from their general dissatisfaction with the treaties, their earlier relations with the whites, and their subsequent hostilities.⁴⁴

Stevens and Palmer separated after the signing of the treaties at Camp Stevens, Palmer proceeding to The Dalles

⁴⁴ Lawrence Kip, "The Indian Council at Walla Walla," *Sources of the History of Oregon*, I, pt. 2, pp. 4-28; Kappler, *op. cit.*, II, 694-98; 698-702; 702-6.

to make a treaty with the Indians of that region under the title of the Confederated Tribes of Middle Oregon, and Stevens travelled eastward to make a treaty with the Flathead Indians. The council with the Flatheads and other Indians was held, July 16, 1855, at Hellgate. They ceded the region lying between the Bitter Root Mountains and the main ridge of the Rocky Mountains, and agreed to accept a reservation lying south of Flathead Lake. It was also provided that a portion of the Bitter Root Valley should be temporarily withheld from settlement, the Flathead Indians desiring that this region also be made a reservation, and the superintendent agreeing to leave the matter open for final settlement at a later time.⁴⁵

Stevens negotiated a treaty with the Blackfeet, October 17, 1855, relative to common hunting grounds east of the Rocky Mountains for the Blackfeet, Nez Percés, and Flatheads. It was the intention of Stevens to treat with the Coeur d'Alene, Spokane, Colville, and Okinagan on his return trip to Olympia, Washington, but when the Indian war broke out he decided to postpone the negotiation of these treaties, although he visited the Indians.⁴⁶

While Stevens was in eastern Washington in the summer of 1855, the treaty was made with the Quinaielt, and other Indians, July 1, 1855, by A. J. Cain. These Indians ceded the lands lying north of Grays Harbor, on the Pacific Coast of Washington Territory. A reservation was set aside for them along the Quinaielt River.⁴⁷

The treaty made by Palmer, at Wasco near The Dalles, June 25, 1855, with the Confederated Tribes of Middle Oregon provided for the cession of the lands lying between the Wallawalla cession and the Cascade Mountains. The Warm Springs Reservation was designated as the future home of these Indians. It was located about seventy-five miles south of The Dalles, on the west side of the Des Chutes River, and was probably the most isolated region designated in the Stevens-Palmer treaties as an Indian reservation.⁴⁸

⁴⁵ *Ibid.*, II, 722-25.

⁴⁶ *Ibid.*, II, 736-40.

⁴⁷ *Ibid.*, II, 719-21.

⁴⁸ *Ibid.*, II, 740-42.

During August and September, 1855, Palmer treated with the Indians along the Pacific Coast of Oregon from the mouth of the Columbia River to the California border. Several treaties were made by Palmer between August 11, 1855 and September 8, 1855, which contained a provision for a Coast reservation, and for the location of the other Indians of western Oregon upon it. The cession included all the lands west of the Coast Range in Oregon Territory. Although this treaty was never ratified, the reservation was set aside by an Executive Order, November 9, 1855, and the government took possession of the region.⁴⁹

The upper Umpqua Valley was ceded by the Molala Indians, December 21, 1855, in a treaty made with them by Palmer. The Indians agreed to confederate with the Umpqua and Kalapuya who had ceded the middle Umpqua Valley in a treaty dated, November 29, 1854. The Indians agreed to remove to the Yamhill encampment and to move later to the Coast Reservation, as soon as that location should be sufficiently improved to make it possible for them to obtain a living in that district.⁵⁰

The treaty with the Quinaielt which has been negotiated by A. J. Cain on the Quinaielt River, July 1, 1855, was signed by the Indians and by I. I. Stevens at Olympia, January 25, 1856.⁵¹ This was the last treaty made until 1864.

The Genesis of the Yakima Indian War.—During the period that the superintendents of Indian Affairs for Washington and Oregon Territory were making the above treaties, that is; between the fall of 1854 and the fall of 1855, the agents, in the various districts into which the territories were divided for purposes of Indian administration, were meeting with increased difficulties with the Indians. In the Fort Hall district, the agent for the Snake River country found it unsafe to remain in that area; in southwestern Oregon, the country was disturbed by continual robberies committed by the Indians; in western Washington, the Nisqually Indians were dissatisfied with their reservation; and the Chehalis and the

⁴⁹ C. C. Royce, comp., "Indian Land Cessions in the United States," Bureau of American Ethnology, *Eighteenth Annual Report*, II, 812-13.

⁵⁰ Kappler, *op. cit.*, II, 740-42.

⁵¹ *Ibid.*, II, 719-21.

Cowlitz Indians were restless because settlers were taking their lands; in eastern Washington, the Klikitat and the Yakima were preparing to make an attempt to drive all the whites out of the Pacific Northwest.

Nathaniel Olney, the Indian agent for the Snake River district, accompanied a military expedition which was sent to punish the murderers of the Ward party and to protect emigrants who were entering the country in the early fall of 1855. The detachment under Major Haller was in the upper Snake Valley during August and September. The agent made presents to the Indians in the vicinity of Fort Hall, but returned to The Dalles with the military force as he considered that it was unsafe to remain at Fort Hall without military protection. At The Dalles the Indians were quiet.⁵²

The agent for southwestern Oregon reported that the month of September 1855 in the Rogue River Valley was passed, "In one continued series of aggressions." Two men were killed in the Siskiyou Mountains, September 25, 1855. It was stated that numerous thefts were being committed by the Chasta-Skoton bands that had left the reserve at Table Rock, and taken refuge in the Coast Range. The situation was so serious that the agent feared that the people would rise against the Indians unless the thefts were stopped.⁵³

In western Washington, the Chehalis and Cowlitz Indians were very restless and dissatisfied because the settlers were occupying their lands. Their situation was difficult because of their location between the Willamette Valley settlements and those on Puget Sound; and because, on account of the failure of the Chehalis council, no lands were set aside as a reservation for them. The Nisqually Indians were in an unsettled state due to the dissatisfaction with their reservation, and the stories circulated by the Nisqually chief, Leschi. J. Ross Browne stated that Leschi traveled among the Indians west of the Cascade Mountains during the summer and fall of 1855 telling them that the whites were planning to gather the Indians together on reservations in order to destroy them,

⁵² Nathaniel Olney to Palmer, Aug. 31, 1855, *Message from the President . . . communicating information relative to Indian hostilities in the territories of Oregon and Washington*, April 17, 1856, (Serial 858, Doc. 93), pp. 96-7; Thompson to Palmer, Sept. 28, 1855, *ibid.*, pp. 61-62.

⁵³ G. H. Ambrose to Palmer, Sept. 30, 1855, *ibid.*, p. 62.

and appealing to the Indians to make a united effort to drive the whites from the country.

The Klikitat and the Yakima Indians desired to unite the Indians of Oregon and Washington in an effort to rid the country of the American settlers. The Klikitat refused to participate in the Walla Walla Council of June 1855. A portion of the Klikitat Indians had resided in the Willamette Valley for many years. These Indians, in the spring of 1855, were forced by Palmer to return to their own country east of the Cascade Mountains and north of the Columbia River. J. Ross Browne stated that from the time of their departure they were at war with the settlers, and that when the Yakima Indian war started they joined immediately with the Yakima.⁵⁴

During September 1855, some miners who were crossing from the Puget Sound country to the Colville region were murdered by the Yakima Indians. The Indian agent, A. J. Bolon, was in the Spokane country at the time arranging for the council which Stevens hoped to hold with the Indians of that region on his return from the upper Missouri where he had gone to treat with the Blackfeet. Bolon returned by way of The Dalles, to the Yakima Valley where he was murdered by some of the Yakima Indians. The Yakima chief, Kamaiakan, had been strongly opposed to the Yakima treaty made in June 1855 at Walla Walla, and was known to be dissatisfied with it. The Catholic missionary in the Yakima country stated that the Yakima Indians had been talking of nothing but war with the settlers from the time of their return from the Walla Walla council until September 1, 1855, after which time few of the Indians had been near the mission.⁵⁵ A. J. Bolon left The Dalles, September 18, 1855, and was not heard from after that time. Nathaniel Olney, sent out Indian messengers from The Dalles who brought back the information that Bolon had been murdered by order of Kamaiakan. About this time, messengers were sent out by the Yakima Indians to all the neighboring tribes urging the Indians of the country to join in the hostilities against the American settlers.⁵⁶

⁵⁴ J. Ross Browne to the Commissioner of the Indian Affairs, Dec. 4, 1857, *Letter from the Secretary of the Interior* . . . , Jan. 25, 1858 (Serial 955, Doc. 38), p. 11.

⁵⁵ Palmer to the Commissioner of Indian Affairs, Oct. 9, 1855, *Message from the President* . . . , April 17, 1856 (Serial 858, Doc. 93), p. 56.

⁵⁶ Palmer to John Cain, Oct. 3, 1855, C. I. A., A. R., Nov. 26, 1855 (Serial 840, Doc. 1), pp. 514-15.

The Yakima and Klikitat Indians were in arms by October 1, 1855. They were not joined immediately by any of the other tribes, although individual members of other tribes probably did join them. Opinions varied as to the cause of the outbreak. John Cain believed that it was due to rumors that were current among the Indians that Stevens's party and Haller's command had been murdered by the Blackfeet and the Shoshoni, respectively; that the whites were about to be overthrown in every direction; and that the time had come for the Indians to gratify their enmity against the whites.⁵⁷

Palmer believed that the outbreak was due to the dissatisfaction of the Klikitat and the Yakima with the treaty; the immigration of settlers into the country before the treaty had been ratified and carried out; the passing of miners through central Washington on their way to the Colville mines; and the stories told the Indians of the increasing value of their lands due to the discovery of gold.⁵⁸

The immigration into the eastern part of the territories of Washington and Oregon had been forbidden between 1848 and 1855. Mrs. Victor stated: "From the spring of 1848, when all the whites, except the Catholic missionaries, were withdrawn from the upper country, for a period of several years, or until Government had made treaties with the tribes east of the Cascades, no settlers were permitted to take up land in eastern Oregon."⁵⁹

James G. Swan, writing in 1857 stated that the Indian trouble began on a border where the Indians south of the line were under the control of a foreign company—by which was meant the Hudson's Bay Company. He believed that the under employees and the half-breeds in the pay of the company were guilty of inciting the Indians against the Americans. Upon this point, however, he admitted that there was no evidence. To what extent the company was guilty of selling ammunition to the Indians after the law was passed forbidding the sale of arms to Indians would be difficult, probably impossible, to determine. It is probable that Americans were

⁵⁷ Cain to the Commissioner of Indian Affairs, Oct. 6, 1855, *ibid.*, p. 513.

⁵⁸ Palmer to the Commissioner of Indian Affairs, Oct. 9, 1855, *Message from the President*, April 17, 1856 (Serial 858, Doc. 93), p. 56.

⁵⁹ Victor, *The River of the West*, p. 497.

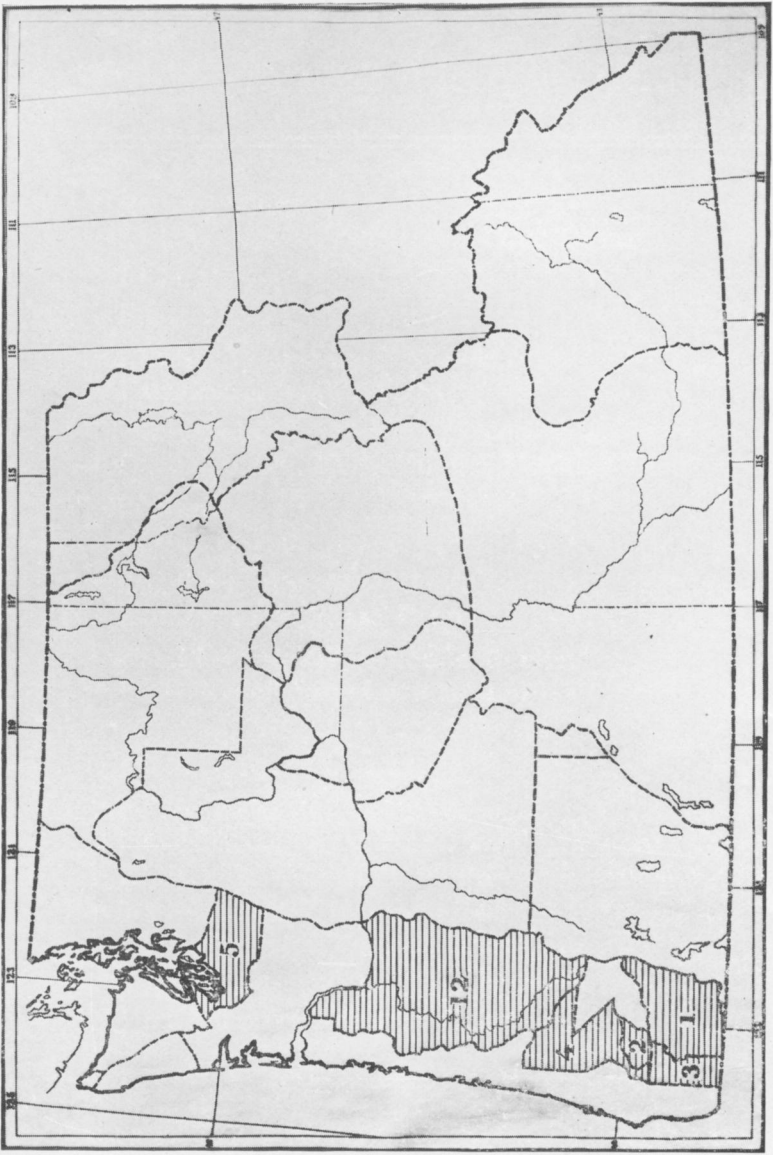
guilty of this same offence. The arms of the interior Indians were procured from the Hudson's Bay Company in large measure, but it is rather absurd to blame the company for having furnished the savages with arms. The fur trading period was common to all the northern parts of the continent, and only as a part of the natural course of events did the fur traders put guns into the hands of the Indians, although in some cases the guns were largely obtained by theft, as in the case of the mountain Snake Indians.⁶⁰ The Klikitat and the Yakima Indians were described by Robert Newell, October 13, 1849, as "friendly, warlike and well armed."⁶¹ When the treaties had been made and the settlers began moving into the country, along with a transient American population of miners, these Indians became unfriendly, warlike and well armed. Under such circumstances conflict was inevitable, or practically so. There were only two means of preventing trouble, namely; the presence of a strong military force that would inspire the Indians with a fear for the Americans so complete that the Indians would realize the futility of resistance; or a change in the attitude of the Indians through peaceful negotiations. The military force was not large enough to affect the conduct of the Indians, and the treaty method failed to prevent the conflict. The result was the Yakima Indian War, which did not end until the country had been occupied by a strong military force.

George Gibbs believed that the primary cause was not any immediate offences or policies, but that at the base of the whole trouble was the land problem. On January 7, 1857, he wrote, in concluding a letter on the subject of the Indian War, as follows:

"What I have meant to show was that the war sprung partly from ill-judged legislation, partly from previous unratified treaties, and partly from recent blunders. Much is due to the natural struggle between the hostile races for the sovereignty of the soil. The land is at the root of the war. Many outrages have been committed since it begun, it is true, but it was not private wrongs that led to it. The numerous

⁶⁰ Swan, *The Northwest Coast*, p. 384.

⁶¹ *Lane to the Secretary of War* Oct. 13, 1849, C. I. A., A. R., Nov. 27, 1850 (Serial 595, Doc. 1), p. 159.



outrages committed by Indians on whites have not been taken into account by those who bleat about the 'poor Indian'."⁶²

The new Indian policy adopted, in 1854, for the Pacific Northwest, was thus, put into effect by the negotiation of fifteen treaties. These provided for the cession of the greater part of the region; furnished reservations as homes for the Indians; and supplied twenty annual appropriations of, approximately, five hundred thousand dollars each, for the purpose of aiding the natives in becoming a settled people. This peaceful method of solving the problem did not satisfy some of the Indians, who, when settlers began moving into the interior in the fall of 1855, instigated a war, which, although it did not change the policy of the government, delayed the ratification of the majority of the treaties until 1859.

MAP I.

INLAND LAND CESSIONS PRIOR TO THE YAKIMA WAR, 1855.¹

- No. 1. 312—*Treaty with the Rogue River, 1853*; negotiated September 10, 1853, ratified April 12, 1854.
- No. 2. 313—*Treaty with the Umpqua-Cow Creek Band, 1853*; negotiated September 19, 1853, ratified April 12, 1854.
- No. 3. 343—*Treaty with the Chasta, etc., 1854*; negotiated November 15, 1854, ratified March 3, 1855.
- No. 4. 344—*Treaty with the Umpqua and Kalapuya, 1854*; negotiated November 29, 1854, ratified March 3, 1855.
- No. 5. 345—*Treaty with the Nisqualli, Puyallup, etc., 1854*; negotiated December 26, 1854, ratified March 3, 1855.
- No. 12. 352—*Treaty with the Kalapuya, etc., 1855*; negotiated January 22, 1855, ratified March 3, 1855.

⁶² Swan *op. cit.*, p. 429.

Note—The numbers designate either a cession, a region occupied by the government without a cession, a reservation, or a change in a reservation. The first numbers are consecutive for the Pacific Northwest. The second numbers are those adopted by Royce, *Indian Land Cessions in the United States*.

ANNUAL REPORT OF JOEL PALMER, SUPERINTENDENT OF INDIAN
AFFAIRS FOR OREGON TERRITORY FOR 1853, PROPOSING
THE RESERVATION SYSTEM

Copy Office Supt. Ind. Affairs.

Dayton Oct. 8th, 1853.

Sir, In transmitting my annual report at so late a period, it is proper that reasons for the delay be given; especially in view of the positive instructions from the Indian Department at Washington requiring strict compliance with the 19th paragraph of Revised Regulations No. 3.

This "Circular" however, as you were informed by Mr. Geary Acting Superintendent during my absence to assist in quelling the disturbances between our citizens and the indians in the Rogue River country, did not reach this office till the 13th Sept.

Although aware of the importance of submitting my report at an early day, little toward its preparation was accomplished prior to my departure to the scene of Indian war in the South, as I desired to receive the reports of Agents, and Sub and Special Agents before its compilation. I also desired to visit the Coast region between Killamook and Umpqua rivers as was suggested in my letters of June 23 and August 23 in order to enable me to speak definitely of the propriety of colonizing the Valley Indians in that district.

On the eve of starting upon this tour, I was arrested in my purpose, by intelligence of the indian depredations, and imminent peril of our citizens, in the Southern part of the Territory. I at once abandoned the expedition and proceeded to the scene of difficulties, leaving Mr. Geary to perform the duties of Acting Superintendent during my absence. But, unfortunately in a few days after my departure Mr. Geary was prostrated by sickness and wholly disabled from the performance of duty.

I was detained until the 25th September, and on my return after spending a week in ineffectual efforts to procure a loan of funds whereby to meet the current expenses of the Office and the liabilities incurred in holding treaties with the indians, I was subpoenaed to attend the Court then in Session in Oregon City, as a witness in a suit therein pending against Anson Dart Esq. late Supt. of Indian Affairs where I was detained till the evening of the 7th instant.

I very much regret this delay as I fear it will tend much to the embarrassment of the indian [sic] department in Oregon

for the ensuing year; and I deeply regret the circumstances rendering necessary this long apologetic introduction to my report. I hope the reasons above detailed will prove sufficient to exonerate [sic] me from blame in the premises.

Peace at present exists with all the indian tribes in this Superintendency; but as heretofore intimated a general feeling of anxiety and distrust pervades the tribes and bands from the sea-board to the Rocky Mountains. This feeling is more owing to the conduct of evil-minded whites toward them, than to any desire on their parts to annoy or injure the whites. The non-ratification of treaties has done much also to destroy their confidence in the good intentions of the Government, and I may say, without expressing any opinion as to the provisions of these treaties, will tend much to embarrass the action of agents of the Government who may hereafter be designated to enter into treaty stipulations.

This want of confidence in the declarations of Government Agents, is not confined to the few tribes with whom treaties have been negotiated; it extends through the entire country nor is it presumed that even the ratification of those treaties at so late a day, would relieve the general distrust.

The importance of entering, at an early period, into treaties to extinguish the indian title to the lands belonging to the tribes residing along the Columbia River and the Northern Oregon road, or so much of said country as is within the Territory of Oregon, has been repeatedly presented to the attention of the Department. My convictions of the propriety and necessity of this course are daily deepened, and I am satisfied that unless early steps be taken to effect such treaties, serious difficulties, if not a general indian war with some of those tribes will be the consequence.

It is also important that measures to extinguish the indian title to the country bordering on the Southern Road extending from the Sierra Nevada to the summit of the Cascade Range of Mountains and as far north and south as to give security to our population constantly pouring upon the western shores of this Continent, should be speedily taken.

If it become the settled policy of the Government to colonize the tribes residing west of the Cascade Mountains on the east side of that Range, the necessity of early exploration and early treaties to extinguish the indian title to extensive tracts of land, is apparent. The vast district, between the Southern Oregon Road and the Columbia River—and between the Humbolt and the Cascade Range. is but little known, but is believed

to contain many valuable tracts of agricultural country of sufficient extent to invite settlers, and the rapid spread of our settlements render it more than probable that a brief period will exhibit those fertile tracts, the seats of a thriving population and blessed with the arts and usages of civilized and enlightened communities.

Experience moreover has taught us that the settlement of a country, prior to the extinction of the native title to the soil is, in most cases attended with serious difficulties and embarrassments to the Government, with annoyance and danger to the settler; and proves fatal to the best interests, the improvement and civilization, of the natives.

In connection with the subject of exploring the country and colonizing the tribes I would add that information derived from a party in search of gold who traversed the mountainous region in the neighborhood of Pitts' Peak and the country between Rogue River and middle Oregon between the 43° and 44° N. L. induced me to believe that quite extensive valleys, fertile, and well suited to the indian population of the southern part of our Territory, exist in that region. This statement is partially confirmed by the Rogue River Chiefs, who state that persons of their tribe visited some of those valleys many years ago. It is probable however that the valleys they refer to are east of the summit of the mountains. This evidence of the existence of such valleys, and of their suitability to be made the future and permanent home of the tribes of Southern Oregon would warrant their exploration as well as those of the interior of middle Oregon above indicated.

A full and complete examination of these portions of Oregon, besides enabling the Government, with a fuller knowledge of the facts, to fix its permanent policy in regard to the savage tribes of Oregon, will doubtless tend greatly to bring to light the vast and various resources of our Territory.

A policy in regard to holding treaties with the Indians of this Territory, different from that heretofore pursued, seems called for, not only as a matter of economy, but also on account of the influence exerted on the indians themselves.

The gathering of different bands and tribes from remote neighborhoods in mass, to be paraded, petted and feasted at the public expense, has a decidedly demoralizing influence on the indians, as it inclines them to indolence and extravagance, gives them an importance in their own esteem to which they are by no means entitled; and impresses them with the belief that our Government has a reckless disregard of expenditure.

At such places many congregate of a class interested in a large expenditure on the occasion; and for the purpose of present or ulterior gain, exert an improper influence over the minds of the indians, disinclining them to treat; or to demand an exorbitant price for their lands; to refuse to emigrate, and to demand modes of payment, suiting the sharper, but at variance with their own real interest.

In treating with the Indians, the season of the year has its influence. At some seasons their wants are so easily and abundantly supplied, that no proposition for purchasing their lands, or for their removal however extravagant would receive their favorable regard. At other seasons their wants are so numerous and pressing, that they yield a ready ear to terms, and comply with such as may be dictated. This remark applies only to the tribes of the Lower Columbia and of the Willamette and Umpqua Valleys.

I would only avail myself of their necessities the more effectually to promote their general welfare, thus conforming to that humane policy which has characterized the history of our Government, towards the Indians. They must be removed, and instructed in the arts of civilization and brought under the influence of wise and wholesome laws, in order to be perpetuated, otherwise they will speedily perish on the graves of their fathers; in order to make them the recipients of these benefits, the period of their most pliant mood must be seized upon, and all engagements made with them, promptly carried into effect.

As to the better mode of treating. Nothing I apprehend could be more ridiculous and absurd than pomp and display in treating with the miserable bands and remnants of tribes in the region last referred to. The most simple and economical approach on our part becomes their condition, and will alone secure the prompt completion of contracts with families, bands and tribes so feeble and so numerous. Let their usual places of residence be visited when practicable, and when they are so isolated and scattered as to render this impracticable, let them be collected at places as contiguous to their homes as possible and there treated with, not with a view of indulging their savage whims and fancies but with an eye to their real and permanent good and if possible their elevation in the social scale of humanity.

Much credit is due General Lane for the explicit and fair dealing which has always characterized his intercourse with the indians. He has ever scrupulously avoided making them promises beyond his confidence of being able to perform. His

statements are consequently regarded with confidence by the indians. The beneficial influence of this sentiment among them was manifest in the late treaty with the Rogue River Tribes; the Chiefs the more readily acceding to terms which they regarded as having his approbation and sanction.

The practice now so general of making presents to indians has I believe rather an injurious tendency than otherwise, as it has created the impression extensively among the indians, that the Government is bound to continue the practice as long as they remain among us, and while thus supplied they are less inclined to treat for the sale of their lands and submit to removal. It also tends to foster indolent habits, as they are not inclined to industry and economy while their wants can be otherwise supplied.

Presents in some instances appear necessary and proper to conciliate the good will of the Indian, reward his good conduct, or incline him to peace; but the practice has evidently been much abused, and is at best of little utility.

In the selection of a district of country for the colonization of the various bands and tribes of Indians who inhabit the country contiguous to the coast attention is required to their mode of subsistence. They may properly be termed fish-eaters, and to assign them a country destitute of this this to **them** indispensable article of food, would be disastrous to their existence as a people.

The country between the Killamook and the Umpqua has already been suggested as among the most desirable locations for the settlement of the indians of the Willamette and lower Columbia. Those of the Umpqua may also be added; but it is somewhat doubtful whether the country is sufficiently extensive for the settlement of the Coast Indians inhabiting the country south of the Umpqua. The designation of an additional tract may consequently be necessary for the settlement of the Coast Indians, and two or more tracts east of the Cascade Mountains for the tribes inhabiting the interior.

I regard it as highly important to the successful maintenance of friendly relations with the Indians that in addition to the Agencies of Rogue River and the Uilla there be an agency established for the tribes East of the Cascade Mountains to include the Klamaths, Diggers, or Sho sho nes, the Snakes residing in this territory, and the Bonaks residing along the Lewis fork of the Columbia and Boise river; and untill the extinction of the Indian title to the country and the removal of the Indians, it is important that in addition to the Sub Agencies of the Willamette Valley Clatsop Plains and Port Orford there

be an additional Sub Agency including the Umpqua Valley and the country along the Co-ose and Coquille Rivers, now in the care of Special Agent William Martin Esq.

The subject of additional compensation to Agents and Sub Agents is respectfully submitted. That of Sub Agents is barely the pay of a common laborer and insufficient to secure the services of competent and reliable men.

A detailed account of the numbers and condition of the Indians of the Sub Agency of Port Orford is given in the report of Sub Agent Culver a copy of which is herewith transmitted. By the judicious and untiring attention of Mr. Culver supported by the military stationed at Port Orford the indians of that district though numerous and warlike have been kept quiet.

The recent discovery of gold in that region has induced a large number of persons to congregate in the vicinity of Port Orford which from the number and character of the Indians dwelling there, is more than likely without the most unremitting vigilance and care to result in difficulty and bloodshed.

Many of the adventurers in the mining region are of the most reckless and desperate character and affected with such feelings of hostility to the indians, that military restraint alone seems adequate to the preservation of peace.

My knowledge of the character and condition of these indians as well as of the character of the country they inhabit is so limited that I am unable to recommend any measure of policy to be pursued in regard to them. It is evident, however, that delay in assigning them an abode within fixed limits remote from the mining districts where they can be protected from encroachment and violence, must tend to their speedy extinction. Treaties therefore at an early day for the extinction of title to their lands and provisions for their colonization in a suitable country are of the utmost importance.

My letter of the first September informed you that F. M. Smith Esq. of Port Orford in the absence of a Sub-Agent, P. F. Thompson Esq. being on duty at the Uvilla Agency, was appointed Special Agent for the tribes of the Port Orford district.

No information as to his acceptance or refusal has yet been received. Mr. Smith is recommended as well qualified for the duties of the station, and I hope the appointment may meet your approbation.

On my return from Rogue River to this place I received

information rendering it necessary to dispatch an agent immediately to visit the Indians residing along the waters of the Co-ose River and Bay, situated some fifteen or twenty miles south of the Umpqua River. The necessity of the constant presence of an agent among the tribes in the Rogue River country rendered it imprudent to call away Agent Culver from his post though Co-ose Bay is attached to his district; I therefore deputed William Martin Esq. of Winchester as a special agent to visit the Indians of Co-ose Bay and on the waters of the Umpqua River. I transmit a copy herewith of his appointment and instructions.

While on my late expedition I came to the knowledge of the existence of a tribe of Indians inhabiting the country on the upper waters of the North and South Forks of the Umpqua and the headwaters of the Rogue River called the wild Mo-lal-las. The name so nearly resembles that of the Mol-al-las of the Willamette that they have been confounded with that tribe; but the information that I have obtained satisfies me that they are a distinct tribe, speaking an entirely different language and having no connection whatever with them.

They have had but little intercourse with the whites, being located in a remote and mountainous region off the line of travel from Oregon to California. They roam sometimes as far east and southeast as the headwaters of the Des Chutes and the Klamath Lake. Their subsistence is chiefly wild game with which their country abounds, while numerous mountain streams and lakes afford a rich supply of fish. Some of these lakes are said to be twenty miles in length, with considerable margins of fertile land, and surrounded with precipitous mountains. This information though chiefly derived from Indians, is so far corroborated that I put much confidence in its correctness.

The several bands inhabiting the Coast between Killamook and the Umpqua River, have never been visited by an agent of the Government. It was indeed represented that but few Indians dwelt there.

I have however conversed with several of a party who explored one of the streams emptying into the Ocean on that Coast, during the summer, who found a village at the base of the Mountains about 6 miles from the Ocean containing about two hundred souls.

In the comfort of their lodges and their abundant supply of provisions they are much in advance of the tribes generally along the Coast. They had but little clothing, no fire arms

and were of a lighter complexion than the Indians usually are. They subsist on wild game, fish, muscles and clams and have but little intercourse with the whites. The greater portion of the Indians fled on the approach of the exploring party.

No detailed report of the condition of the Indians in the Utila agency has been received. A copy of a letter from Sub-Agent P. F. Thompson accompanying this report will give some idea of the petty annoyance to which the agent is subjected from that proud and haughty tribe.

No report has been received at this office from the Agency of Puget Sound. My letter of the 22nd August informed you of the designation of J. M. Garrison, Esq. to that Agency. Agent Starling was accordingly informed of the fact by letter from this office and directed to turn over to Mr. Garrison the papers and property belonging to the Agency upon his executing to him a proper receipt therefor. This Mr. Starling declined doing, on the ground that he was not subject to this Superintendency and was acting under instructions from Governor Stephens [Stevens] of Washington Territory. Soon afterward Mr. Garrison returned to this Territory and on the 15th instant notified this Office, that he had resigned his office of Indian Agent to take effect immediately.

No reports have been received from Sub-Agent W. W. Raymond of Clatsop Plains nor from J. L. Parrish of the Willamette Valley; but I believe the bands and tribes of these districts are at peace among themselves and sustain friendly relations to the whites.

It may not be improper to state that several letters from various sources have been received interrogating the Superintendent in regard to funds alleged to be due them for past services in the Indian Department, including salary, traveling expenses, etc., the amount of which I have no means of ascertaining as no regular bills have been presented.

Among the number of claimants is H. H. Spalding Esq. claiming one Quarter's salary. E. A. Starling Esq. for salary traveling and incidental expenses and pay of Interpreter and A. A. Skinner Esq. for traveling expenses and pay of Interpreter.

The pay of the salary of Superintendent and Agents, of Sub- and Special Agents, Interpreters, and all traveling and contingent expenses since I entered on the duties assigned me, are unpaid no public funds having been placed in my hands by which to discharge such liabilities. I will also add that for the expenses attending my recent trip to Rogue River

Country and of the treaties with the Rogue River and Cow Creek Indians, together with all expenses for the transportation of goods promised them, and the expenses incident to the duties of Superintendent I am now paying at the rate of five per cent per month interest.

The following estimate of expenses in this department for the year commencing July 1st, 1854 is respectfully submitted.

Pay of Superintendent, three Agents and four Sub-Agents	\$10,000.00
Pay of 10 Interpreters.....	5,000.00
Clerk hire, Office Rent, fuel and stationery for Superintendent, and house rent for Agents and Sub-Agents	4,200.00
Traveling expenses of Superintendent Agents and Sub-Agents, including exploration of country, in addition to similar expenses connected with holding treaties	10,000.00
For payment of annuities to Rogue River & Cow Creek indians and other grants as stipulated in treaties	7,500.00
Expenses of holding treaties—the purchase of teams to transport goods and provisions—for presents and first payment of annuities provided treaties be ratified	67,350.00

In the above estimates I have contemplated the appointment of one additional agent for this territory preserving the original number, and an additional Sub-Agent as being indispensable to the maintenance of peace, and to expedite the early extinguishment of the indian title to the country. It also contemplates the employment of one interpreter to each agent and Sub-Agent, and two for the Superintendent and two for the Agent stationed East of the Cascade Mountains.

The pay of the Sub-Agents and Interpreters is estimated as fixed by law, but should the compensation of these officers be increased, as in justice it should be, an additional amount will be required.

The amount for travelling expenses is intended to cover the cost of the purchase of animals and necessary fixtures for exploring the country with a view to the selection of permanent homes for the Indian tribes, the pay of employees to accompany those employed in such expedition, and the ordinary traveling expenses incident to the service.

The amount for the payment of annuities contemplates the ratification of the treaties of purchase recently entered into with the Rogue River and Cow Creek indians. That amount

being necessary to carry its provisions into effect, and will be needed previous to the first of Sept. 1854.

In the estimate for holding treaties is included a sum believed to be sufficient to pay the expenses of holding treaties for the extinguishing of Indian title to all the land west of the Cascade Range; and their assent to remove to such points as may be selected for them, provided a selection be made west of said mountains; it also includes an amount sufficient for presents and a first payment on account of purchase provided the treaties be ratified, for which purpose twelve of fifteen thousand dollars may be applied; it also contemplates the purchase of teams and animals for the transportation of Indian goods to such points as may be necessary, as well as treating with such of the tribes East of the Cascade Mountains as may be deemed necessary for the preservation of peace, and give security to our citizens passing from the Eastern to the Western boundary of this Territory, and open the way for a continuous chain of settlements upon the routes usually traveled by our citizens.

The estimates given above are believed to be the lowest possible adequate to accomplish the objects intended in the most economical manner. In the exploration of the interior a small military escort will be essential to the safety of the party, or the appropriation of an additional sum sufficient for the employment of a suitable number of persons for protection.

I would respectfully suggest to the Department the propriety and importance of placing at the disposal of the Superintendent in this Territory in addition to the above estimates a sum of not less than ten thousand dollars designed as a contingent fund to meet any sudden emergency, like that in the Rogue River Country, which might occur. Also that the sum of one thousand dollars be placed at the disposal of each agent and half that sum in the hands of each Sub-Agent as a contingent fund for similar purposes. This amount on hand to meet emergencies, might when judiciously expended, be the means often of preventing a protracted and bloody indian war, and the expenditure of hundreds of thousands of dollars in military operations.

The system which requires Agents of the Government to expend their private funds in meeting the current expenses incident to the duties of their office, upon this Coast, and await the auditing of their accounts at Washington City previous to payment, subjects them to great inconvenience and materially lessens their influence as Agents. Some arrangement by which

those employed in the public service may receive their salaries at the end of each quarter, together with the current expenses provided for by law, seems called for not only as a matter of justice to the employees of the Government, but as a means of insuring energy of action and efficiency in the service. What may have been the practice heretofore in this Department I have no means of ascertaining, but as Agents are still claiming salary due them since the quarter ending September 30th, 1852, and others claiming traveling expenses for two years past, great delay in the auditing and settling of accounts, is evident.

As further evidence of this H. H. Spalding Esq. claims one quarter's salary yet due him as Indian Agent in 1851.

In order that the Department may understand the data on which is based my estimate of the expense of treating with the Indian tribes of Oregon generally, I herewith transmit a table of the estimated expense of treating with the several tribes East and West of the Cascade Range so far as such treaties may be deemed necessary.

I am very respectfully,

Your Obt. Servant

Joel Palmer,
Superintendent.

Hon. Geo. W. Manypenny
Commissioner of Ind. Affrs.
Washington City D. C.